

Kansas Department of Labor

### **Podcast Episode 18: Interstate claims (7/16/10)**

**Jonathan:** Hello there and welcome to *Questions from Claimants*, the podcast about all things unemployment. Each episode we'll speak with unemployment experts from the Kansas Department of Labor to help answer your questions about your benefits. I'm your host Jonathan Larance.

In this episode of *Questions from Claimants*, we're talking about what you should do if you're applying for unemployment benefits in Kansas, but you live in another state. It's called the interstate claim and to get your questions answered I spoke with Sheila Morelock, a public service executive with the Kansas Department of Labor.

Sheila, thanks for joining me today.

**Sheila:** Thanks for having me, Jonathan.

**Jonathan:** Now now Sheila, what exactly is an interstate claim?

**Sheila:** Well, it's pretty simple really; it's just a claim for unemployment benefits from a state other than the state that you live in. To file an interstate claim, you must have earned your wages during your base period in the state in which you're filing. For example, if you worked in Kansas and you became unemployed and moved to Nebraska, you can file an interstate claim with the Kansas Department of Labor. Interstate claims are possible because every state participates in the federal Interstate Benefit Payment Plan. If you earn wages from covered employment in Kansas then you are entitled to unemployment benefits from Kansas because your employer has paid the state unemployment tax.

**Jonathan:** Another important question, especially for those that live in the Kansas City metro area, is what should they do if they worked in Kansas, but they live somewhere else say Missouri. And I guess the other part of that question is, what if they lived in another state such as Missouri but they commute to Kansas for work. Where should they apply for work?

**Sheila:** Well if you live in Kansas and commute to work in a surrounding state, you are required to file your claim in the state in which you worked and earned wages. You would only file for unemployment in that state

**Jonathan:** So what you're saying is in the example, for someone that lives in Kansas City, if they worked in Kansas and lived in Missouri, then they would file in Kansas, correct?

**Sheila:** That's correct.

**Jonathan:** Okay, thank you for clarifying that up. Now, can I file for an interstate claim online just like a regular claim?

**Sheila:** Yeah, you sure can. You can go to [www.GetKansasBenefits.com](http://www.GetKansasBenefits.com) and file an interstate claim just like you were filing a regular claim.

**Jonathan:** Now Sheila, is there anything I need to know when filling out the interstate claim application? Is it the same as filling out a regular claim application?

**Sheila:** Yeah, the interstate claim is the same as filing a regular claim. What you'll need to file your claim is your Social Security number, your full mailing address, your telephone number, the name and mailing addresses of all employers you've had in the past 18 months, the date you began and stopped working for each of the employers and the reason that you left your job, the county in which you live and your driver's license number. If you're not a citizen or national of the U.S., you'll need your employment authorization number and your expiration date. Be sure to provide accurate information, especially your address and your telephone number, to prevent unnecessary delays in collecting benefits. Now if you move out-of-state while you're claiming Kansas unemployment benefits, you should immediately call us and report the address change. You can also go online to [www.GetKansasBenefits.com](http://www.GetKansasBenefits.com) and update your address there. Information about your unemployment claim will not be forwarded by the Post Office. Please be advised that filing a fraudulent interstate unemployment claim can result in both state and federal criminal charges.

**Jonathan:** Now Sheila, just to reiterate, let's say that I move and I need to change my address, I can only change it at [www.GetKansasBenefits.com](http://www.GetKansasBenefits.com), I can't change it with the Post Office and they're not going to be forwarding me any correspondence from KDOL in the mail. I have to change it myself, correct?

**Sheila:** That's correct.

**Jonathan:** Okay, what if I know longer live in Kansas, but I worked in both Kansas and my current home state, say Oklahoma, during my base period? What should I do?

**Sheila:** Well, if you are using wages earned in multiple states to establish entitlement to unemployment benefits, then you have what we call a combined wage claim, and that's different from an interstate claim.

**Jonathan:** And as a program note, we'll be covering combined wage claims in an upcoming podcast episode, so please look forward to that. Now, now Sheila, can I draw benefits from two different states at the same time?

**Sheila:** No, you can only file one claim against one state at a time.

**Jonathan:** So what you're saying is I can't file a claim in Oklahoma and I can't file a claim in Kansas at the same time? I can't be drawing benefits from both

**Sheila:** That's correct.

**Jonathan:** Now let's say I'm Kansas claimant but I live in another state. Should I file for federal Emergency Unemployment Compensation (EUC) and State Extended Benefits (EB) in Kansas or the state that I am living in?

**Sheila:** Well, because the claim is based off the earnings in Kansas, you would still need submit a claim for EUC or EB with the Kansas Department of Labor. Please note though that if you live in another state and are drawing benefits in Kansas and you apply for EB benefits, if the state you live in has not triggered on to EB benefits yet, you can only get a maximum of two weeks of EB benefits. That's because EB benefits are tied to the state's unemployment rate. For instance, if you lived in a state with low unemployment rate and it has not triggered onto the EB

program, such as Montana, you would only be able to claim two weeks of EB benefits from Kansas.

**Jonathan:** Okay, I know Kansas isn't eligible to offer EUC Tier IV benefits at the moment, but what if I am filing in Kansas but I live in a state that is eligible to offer Tier IV benefits, say I live in New York or California? Can I claim Tier IV benefits from the state that I am currently living in?

**Sheila:** Well, the level of benefits you're entitled to is determined by the status of the state that you are filing against (the state where you worked), not the state where you are currently located. So if you have an interstate claim because you regularly traveled across state lines from home to work, you are treated as if you were a resident of the state where you worked. For example, if you live in Missouri but worked in Kansas and have an interstate claim with the state of Kansas you are only eligible for the levels of EUC and EB benefits in Kansas, even though you live in a state that has "triggered on" to higher levels of benefits.

**Jonathan:** So what you are saying is that I might live in Missouri or I might live in New York or California, in states that have Tier IV benefits, but because my wages were earned in the state of Kansas, I can't qualify for Tier IV benefits, correct?

**Sheila:** That's correct, because Kansas is the paying state.

**Jonathan:** Alright, Sheila, thank you very much for joining me today

**Sheila:** Thank you, Jonathan.

**Jonathan:** That's it for this episode of *Questions from Claimants*. Join us next time when we'll answer questions about unemployment fraud.

If you have general questions about the Kansas Unemployment process, e-mail us at [podcast@dol.ks.gov](mailto:podcast@dol.ks.gov). For security reasons, we can't answer specific questions about your claim, but we may be able to answer general questions in an upcoming episode. Also, remember to go online to [www.GetKansasBenefits.com](http://www.GetKansasBenefits.com) for more information.

I'm Jonathan Larance. Thanks for listening.